THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 6920 OF 2006

Dated 6th April, 2006

Between:
The Mother Theresa S.C. Labour Contract
Co-Society, Ambedkar Nagar, Hindupur,
Anantapur District, represented by
C.Dharmaiah.

… Petitioner

And

The Medical Superintendent
District Hospital, Hindupur,
Anantapur District.

… Respondent.

ORDER:

The petitioner, a labour contract co-operative society, has filed this writ petition seeking a writ of mandamus to declare the action of the respondents in inviting the tenders for sanitation work without following the guidelines issued in G.O.Ms.No.72, dated 19.11.2003 as illegal.

It is the submission of the learned counsel for the petitioner that though minimum wages are notified in G.O.Ms.No.72 with regard to general and office staff working in hospitals and dispensaries, such estimates are not disclosed in the tender notice. Therefore, the petitioner is bound by the tender notice and is not under obligation to offer the rates as specified in the G.O. supra. The said submission cannot be accepted. As far as G.O.Ms.No.72 is concerned, it is a notification stipulating the guidelines for payment of minimum wages as required under the provisions of the Minimum Wages Act. Once it is published in the gazette, it is a notice to everybody and wages have to be paid. Having regard to the required personnel as mentioned in the tender notice, it is for the tenderers to offer their rates keeping in mind the notified wages under the provisions of the Minimum Wages Act. The estimates need not be mentioned in the tender notice. It is for the bidders to keep in mind the rates specified under the Minimum Wages Act and offer them pursuant to the tender notice.

No other ground has been urged.

In view of the above, I do not find any valid ground to interfere with the tender process and the writ petition, which is devoid of merits, is dismissed at the stage of admission.

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6.4.2006

(R.SUBHASH REDDY, J.)

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